



**MINUTES  
SCOTTSDALE PLANNING COMMISSION  
KIVA – CITY HALL  
3939 N. DRINKWATER BOULEVARD  
APRIL 22, 2003**

**PRESENT:** David Gulino, Chairman  
Steve Steinberg, Vice Chairman  
David Barnett, Commissioner  
James Heitel, Commissioner  
Tony Nelssen, Commissioner  
Kevin Osterman, Commissioner  
Jeffery Schwartz, Commissioner

**STAFF:** Pat Boomsma  
Kurt Jones  
Tim Curtis  
Al Ward  
Kira Wauwie

**CALL TO ORDER**

The regular meeting of the Scottsdale Planning Commission was called to order by Chairman Gulino at 5:03 p.m.

**ROLL CALL**

A formal roll call confirmed members present as stated above.

**OPENING STATEMENT**

**COMMISSIONER OSTERMAN** read the opening statement which describes the role of the Planning Commission and the procedures used in conducting this meeting.

**CHAIRMAN GULINO** stated that last Friday night the City of Scottsdale suffered a tragic loss. One of the staff members, John Arnhold, passed away suddenly. He requested they observe a moment of silence in his honor.

(A moment of silence was observed.)

**APPROVED**

**CHAIRMAN GULINO** introduced David Barnett as the newest member of the Commission. He reported the City Council has appointed three new commissioners. He further reported the April 8<sup>th</sup> meeting was Kay Henry's last meeting and this will be Commissioner Osterman's last meeting.

**COMMISSIONER OSTERMAN** bid farewell to his fellow commissioners. He remarked that he appreciated working with staff. He further remarked serving on the Commission has been a great experience.

### **CONTINUANCES**

**7-TA-2002 (Sign Ordinance Text Amendment)** request by City of Scottsdale, applicant, for a text amendment to the City of Scottsdale Zoning Ordinance (Ordinance No. 455) to amend Article VIII, Sign Requirements. (Continued to May 14, 2003)

**COMMISSIONER OSTERMAN MOVED TO CONTINUE CASE 7-TA-2002 TO THE MAY 14, 2003 PLANNING COMMISSION MEETING. SECOND BY COMMISSIONER HEITEL.**

**THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).**

### **INITIATION**

**2-ZN-2003 & 4-UP-2003 (5<sup>TH</sup> Avenue Parking Garage)** request to initiate a municipal use master site plan and a rezoning from Central Business District (C-2) to Parking District (P-2) on a 1.6 +/- acre parcel located at 7143 E. 5<sup>th</sup> Avenue.

**MS. WAUWIE** presented this case as per the project coordination packet. Staff recommends the initiation.

**VICE CHAIRMAN STEINBERG** inquired if the proposed garage is multi-stories. Ms. Wauwie replied it will be four stories. Vice Chairman Steinberg inquired if any of it will be below grade. Ms. Wauwie replied half of a level will be below grade. Vice Chairman Steinberg inquired how it would impact the shops and restaurants that are west of the proposed garage. Ms. Wauwie stated there is an intervening alleyway that would be upgraded to 20 foot wide to provide access to the backs of those buildings. Vice Chairman Steinberg inquired if P-2 would preclude doing a mixed-use project here. Ms. Wauwie stated P-2 is strictly parking.

**VICE CHAIRMAN STEINBERG** stated he would love to see it buried and create a park on top. He further stated this is valuable land right next to the arts district. He remarked he would hate to see land disappear like that. He inquired if there was anyway they could look at putting much of the garage below grade and incorporating some mixed use and public amenities like a small park. Ms. Wauwie stated staff would take his suggestions into consideration, but that is not something they have looked at.

**COMMISSIONER BARNETT** asked about the height of the other buildings in the area. Ms. Wauwie stated many of the buildings are one story but some might be two story.

**COMMISSIONER BARNETT** inquired if some of the buildings in the area have backside deliveries that might be affected by the garage. Ms. Wauwie stated the buildings that have rear deliveries occur on the west side of the site and the 20-foot wide alley will allow deliveries in the back to continue.

**CHAIRMAN GULINO** inquired when this is scheduled to come back before the Commission. Ms. Wauwie stated it will come back before the Commission on May 14, and will then go to the City Council on June 16. The Development Review Board on June 19. Initiate construction in Fall 2003.

**COMMISSIONER NELSEN** inquired when this comes back before the Commission if they would be able to view some of the conceptual drawings because he shares some of the same concerns expressed by Vice Chairman Steinberg. He remarked obviously there would be additional costs to bury this structure but there are creative ways to fund these things particularly in this part of the City. Ms. Wauwie stated they have some photo schematics that show the existing buildings and the proposed structure. The conceptual drawings would be presented at the DR Board. Commissioner Nelsen inquired if there was any possibility of this being below grade. Ms. Wauwie replied it would be very difficult to bury the entire structure at this site because there are some drainage considerations that might elevate the cost associated with the parking structure. They are considering half a level below.

**COMMISSIONER NELSEN** inquired if this would be free parking. Ms. Wauwie replied in the affirmative.

**COMMISSIONER HEITEL MOVED TO INITIATE CASES 2-ZN-2003 & 4-UP-2003 WITH THE SUGGESTION THAT STAFF LOOK INTO SOME OF THE COMMENTS AND ADDITIONAL USES THAT MIGHT ENHANCE THE SITE THAT WERE BROUGHT UP BY THE COMMISSIONERS. SECOND BY COMMISSIONER OSTERMAN.**

**THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).**

### **EXPEDITED AGENDA**

**32-UP-2000#2 (Celebration of Fine Art)** request by Earl, Curley & Lagarde PC, applicant, Arizona State Land Department, owner, for a conditional use permit extension for a Seasonal Arts Festival with stipulation modifications on a 77.47 +/- acre parcel located at the southeast corner of Scottsdale Road and Union Hills Drive with Planned Regional Center, Planned Community District (PRC-PCD) zoning.

**MR. WARD** presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

**COMMISSIONER NELSEN** stated that he supports this request. He inquired if any consideration could be made to creating a more decorative atmosphere to the tent structures themselves.

**TOM MORROW** stated he is the owner of Celebration of Fine Art. He further stated they would be interested in doing that but he is not sure if they would bump into some restrictions

from the City. From a practical standpoint, it would be difficult because they would have to get new tents.

**COMMISSIONER NELSEN** stated he was not suggesting they get new tents. There are freestanding structures that could be mounted on poles and strung on cables that give more visual interest. Mr. Morrow stated they would look into it.

**CHAIRMAN GULINO** inquired how long is the extension on the use permit. Mr. Ward replied every two years the Zoning Administrator would review it. Chairman Gulino stated so it will not come back to a public hearing. Mr. Ward replied in the affirmative.

**CHAIRMAN GULINO** inquired if this event is creating any additional traffic problems in the area. Mr. Ward replied the Transportation staff has not indicated any problems. It is a signalized intersection and traffic would be off-hours and on weekends.

**LYNN LAGARDE**, Earl, Curley and Lagarde PC, stated it is important to note Mr. Morrow has already done significant traffic improvements in terms of signalization over the course of time he has been at this location. She further stated to be clear on the record the stipulation reads that this use permit is without a timing limitation. The staff has asked when they go in for State Land use permit extension that they submit a status report to the Zoning Administrator.

**COMMISSIONER OSTERMAN MOVED TO FORWARD 32-UP-2000#2 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL AS IT MEETS THE CITY OF SCOTTSDALE CRITERIA FOR A USE PERMIT. SECOND BY COMMISSIONER HEITEL.**

**THE MOTION PASSED BY A VOTE OF SIX (6) TO ZERO (0).**

**CHAIRMAN GULINO** stated the record should reflect that Commissioner Schwartz just arrived.

(Commissioner Schwartz arrived at 5:25 p.m.)

**1-MP-2003 (Park Site at DC Ranch Planning Unit 1)** request by Biskind Hunt & Taylor, applicant, DC Ranch LLC, owner, for Master Site Plan approval for a future public park at DC Ranch on a 12.8 +/- acre parcel located near the southeast corner of Pima Road and Union Hills Road with Open Space and Planned Community District (OS/PCD) zoning.

**MR. CURTIS** presented this case as per the project coordination packet. Staff recommends approval, subject to the attached stipulations.

**VICE CHAIRMAN STEINBERG** inquired whether this is an exclusive park for DC Ranch residents. Mr. Curtis stated it is a neighborhood park that is open to the public and will be dedicated to the City of Scottsdale. Vice Chairman Steinberg inquired if it relates to the trails system in DC Ranch as well as outside of the area. Mr. Curtis replied in the affirmative. Vice Chairman Steinberg inquired if there is a provision for equestrian activity. Mr. Curtis stated there is a plan for a trailhead at this location.

**COMMISSIONER HEITEL** inquired when do they anticipates the master site plan will come back. Mr. Curtis replied they have indicated within five years.

**VICE CHAIRMAN STEINBERG MOVED TO FORWARD CASE 1-MP-2003 TO THE CITY COUNCIL WITH A RECOMMENDATION FOR APPROVAL. SECOND BY COMMISSIONER NELSEN.**

**THE MOTION PASSED BY A VOTE OF SEVEN (7) TO ZERO (0).**

**CHAIRMAN GULINO** introduced and welcomed Mr. Schwartz as the newly appointed Planning Commission member.

**VICE CHAIRMAN STEINBERG** stated he wants to be clear regarding the initiation case for the parking garage that they still have the opportunity at the next meeting to raise any of their concerns about the rezoning. Mr. Jones replied in the affirmative. The request this evening was for a specific zoning district. Staff will look into alternatives. He noted P-2 only allows parking.

**COMMISSIONER HEITEL** inquired if they could look at a use outside of the P-2 zoning and initiate a rezoning. Mr. Jones stated at the next hearing they could discuss considering some type of future reclassification.

#### **WRITTEN COMMUNICATION**

There was no written communication.

#### **ADJOURNMENT**

With no further business to discuss, the regular meeting of the Scottsdale Planning Commission was adjourned at 5:40 p.m.

Respectfully Submitted,

"For the Record " Court Reporters